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GI 5291

DEB. No. P-41,323

## DECLARATION and POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### CHIMERIC POLYPEPTIDES CONTAINING CHEMOKINE DOMAINS

the specification of which  
(check one) is attached hereto.

was filed on February 28, 1997 as  
Application Serial No. 08/808,720  
and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

#### Prior Foreign Application(s)

<u>Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Priority Claimed</u>
_____	_____	_____	YES/NO
_____	_____	_____	YES/NO

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Express Mail mailing label number: 577401217  
Date of Deposit: February 20, 1997  
I hereby certify that this paper or fee is being deposited with the United States Postal Service  
Express Mail Post Office to Addressee's service  
Under 37 CFR 1.10 on the date indicated above  
and is addressed to the Assistant Commissioner  
For Patents, Washington, D.C. 20231  
*[Signature]*

Application Serial No.	Filing Date	Status

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Thomas J. DesRosier, Reg. No. 30,168  
 Ellen J. Kipinos, Reg. No. 32,245  
 M. C. Meinert, Reg. No. 31,544  
 Steven R. Lazar, Reg. No. 32,618  
 Scott A. Brown, Reg. No. 32,724  
 Suzanne A. Sprunger, Ph.D., Reg. No. P-41,323

Address all telephone calls to Suzanne A. Sprunger at Telephone No. (617) 498-8284. Address all correspondence to **LEGAL AFFAIRS, GENETICS INSTITUTE, INC., 87 CambridgePark Drive, Cambridge, Massachusetts 02140.**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Stephen H. Herrmann

Inventor's signature Stephen H. Herrmann 4-17-97  
 Date

Residence 16 Bradley Avenue, Wellesley, Massachusetts 02181 U.S.A.

Citizenship United States

Post Office Address 16 Bradley Avenue, Wellesley, Massachusetts 02181 U.S.A.

Full name of second inventor Stephen L. Swanberg

Inventor's signature Stephen L. Swanberg April 17, 1997  
 Date

Residence 524 Shawmut Avenue, Apt. 1, Boston, Massachusetts 02118 U.S.A.

Citizenship United States

Post Office Address 524 Shawmut Avenue, Apt. 1, Boston, Massachusetts 02118 U.S.A.

O; vi. 10/1  
PATENT

Serial No TRP Doc. No. GI-5291-014 Atty/Scc SS/OG Date 12/20/99

Inventor Stephen H. Hermann et al.

Title Chimeric Polypeptides Containing Chinkin Protein

The following has been received in the U.S. Patent and Trademark office on the date stamped hereon.

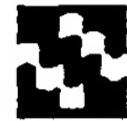
59 pp. Spec., 25 claims(1-50), 1 Abstract  
 10 pp. Sequence ID Listing/Computer Diskette  
 1 pp. Statement re Sequence ID Listing  
 2 pp. Declaration/Power of Attorney  
 3 shts. Informal Formal Drawings Fig. 1A - 2D  
       pp. Assignment Transmittal  
       pp. Extension of Time (duplicate)  
       pp. Information Disclosure Statement  
with PTO-1449 and        references

6 pp. Preliminary Amendment Exh. A  
       pp. Amendment/Response  
       pp. Declaration/Exhibits  
 1 pp. Transmittal Letter (duplicate)  
       pp. Appeal Brief (triplicate)  
 1 p. Fee Transmittal letter (duplicate)  
       Issue Fee Transmittal (duplicate)  
       Notice of Appeal (triplicate)  
       Maintenance Fee 3.5 7.5 11.5  
 3 pp. Investor Data Sheet

The Patent and Trademark Office is respectfully requested to place its stamp on this postal card  
and place it in the outgoing mail.

Respectfully,  
Genetics Institute, Inc.

Express Mail Label No. EJ77041473744



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: S. H. Herrmann, et al.  
Application No.: 09/467,638 Group Art No.: 1643  
Filed: December 20, 1999 Examiner: Karen A. Canella  
For: Chimeric Polypeptides Containing Chemokine Domains  
Confirmation No.: 2639  
Customer Number:

Assistant Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
(REVOCATION OF PRIOR POWERS)  
AND CHANGE OF CORRESPONDENCE ADDRESS**

As assignee of record of the entire interest of the above identified application

**REVOCATION OF PRIOR POWERS OF ATTORNEY**

all powers of attorney previously given are hereby revoked and

**NEW POWER OF ATTORNEY**

the following attorney(s) and/or agent(s) are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith:

Margaret A. Boulware, Reg. No. 28,708; Tamsen Valoir, Reg. No. 41,417; Mark J. Gatschet, Reg. No. 42,569; J. Benjamin Bai, Reg. No. 43,481; Lekha Gopalakrishnan, Reg. No. 46,733

all of the firm of Jenkens & Gilchrist, 1445 Ross Avenue, Suite 3200, Dallas, Texas 75202

and

Christine P. Bellon, 41,611; Gavin T. Bogle, Limited Recognition Under 37 C.F.R. § 10.9(b)  
Diana M. Collazo, 46,635; Elizabeth A. Hurley, 41,859; M. Andrea Ryan, 28,469; Albert R. Ubieta, 43,212

the practitioners of Wyeth, 87 CambridgePark Drive, Cambridge, Massachusetts 02140, United States of America,

and

David A. Manspeizer, 37,540; Elizabeth M. Barnhard, 31,088; Gale F. Matthews, 32,269; Darryl L. Webster, 34,276

the practitioners of Wyeth, 5 Giralda Farms, Madison, New Jersey 07940, United States of America,

and

Rebecca R. Barrett, 35,152; Arnold S. Milowsky, 35,288; Michael R. Nagy, 33,432

the practitioners of Wyeth, P.O. Box 8299, Philadelphia, Pennsylvania 19101, United States of America.

SEND CORRESPONDENCE TO:  
Margaret A. Boulware  
Jenkens & Gilchrist  
1100 Louisiana Street, Suite 1800  
Houston, Texas 77002-5214

DIRECT TELEPHONE CALLS TO:  
Name: Margaret A. Boulware  
Tel No. 214-965-7364

Assignee of Entire Interest:  
Genetics Institute, LLC  
Patent Law Department  
87 CambridgePark Drive  
Cambridge, MA 02140

Assignment from Inventors: Stephen H. Herrmann and Stephen L. Swanberg  
Recorded in PTO on June 13, 1997  
Reel 8554 Frame 0387

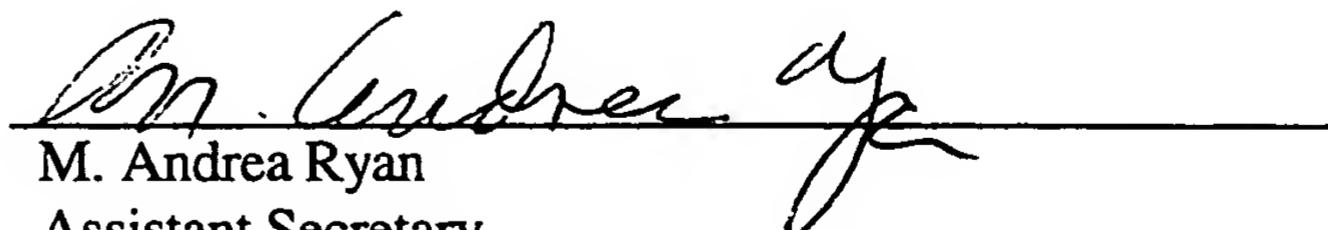
CERTIFICATION UNDER 37 CFR §3.73 (b)

The undersigned has reviewed the recordation information for the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: June 30 , 2003

  
M. Andrea Ryan  
Assistant Secretary  
Genetics Institute, LLC

06-23-1997

FORM PTO-1595  
1-31-92

REC



IMERCE

R.L.

JUN 13 1997

To the Honorable Commissioner of Patents and Trade.

100441540

r copy thereof.

PCT

1. Name of conveying party(ies): MRD 6-13-97

Stephen H. Herrmann  
16 Bradley Avenue  
Wellesley, Massachusetts 02181  
United States of America

Stephen L. Swanberg  
524 Shawmut Avenue, Apt. 1  
Boston, Massachusetts 02118  
United States of America

Additional names(s) of conveying party(ies) attached? [ ]Yes [x]No

## 3. Nature of Conveyance:

<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> Merger
<input type="checkbox"/> Security Agreement	<input type="checkbox"/> Change of Name
<input type="checkbox"/> Other	

Execution Date: April 17, 1997

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 08/808,720 (GI 5291)

B. Patent No.(s):

Additional numbers attached? [ ]Yes [x]No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

LEGAL AFFAIRS  
GENETICS INSTITUTE, INC.  
87 CAMBRIDGE PARK DRIVE  
CAMBRIDGE, MASSACHUSETTS 02140

## 6. Total number of applications and patents involved: 1

7. Total fee (37CFR3.41)..... \$40.00

 Enclosed check Authorized to be charged to deposit account

## 8. DEPOSIT ACCOUNT NO. 07-1060

(Attach duplicate copy of this page if paying by deposit account)

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## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Suzanne A. Sprunger, Ph.D.  
Name of the Person Signing

Signature

June 9, 1997

Date

Total number of pages comprising cover sheet: 1

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, D.C. 20231

06/19/1997 VBROWN 00000073 DA# 071060 08808720  
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REG. NO. P-41,323

  
10/614475

07/07/03

GI 5291  
USSN 08/808,720  
Filing Date February 28, 1997  
Group Art Unit \_\_\_\_\_

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231, on July 9, 1997

*Stephen H. Herrmann*  
REG. NO. P-41,323

## ASSIGNMENT

In consideration of good and valuable considerations, the receipt of which is hereby acknowledged, we, the undersigned,

Stephen H. Herrmann, Stephen L. Swanberg  
residing at:

16 Bradley Avenue, Wellesley, Massachusetts 02181 U.S.A.;  
524 Shawmut Avenue, Apt. 1, Boston, Massachusetts 02118 U.S.A., respectively,

hereby sell, assign and transfer to GENETICS INSTITUTE, INC., a corporation of the State of Delaware having a place of business at 87 CambridgePark Drive, Cambridge, in the County of Middlesex, and the State of Massachusetts, United States of America, their successors, assigns and legal representatives, the entire right, title and interest for all countries, in and to any and all inventions which are disclosed and claimed, and any and all inventions which are disclosed but not claimed, in the application for United States Patent, which has been executed by the undersigned and is entitled:

## CHIMERIC POLYPEPTIDES CONTAINING CHEMOKINE DOMAINS

(GI Case No. 5291) and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for United States Letters Patent or other related property rights in any and all foreign countries which have been or shall be filed on any of said inventions disclosed in said application; and in and to all original and reissued patents or related foreign documents which have been or shall be issued on said inventions;

Authorized and request the Commissioner of Patents of the United States to issue to said Assignees, the corporations above named, their successors, assigns and legal representatives, in accordance with this assignment, any and all United States Letters Patent on said inventions or any of them disclosed in said application;

Agree that said Assignees may apply for and receive foreign Letters Patent or rights of any other kind for said inventions, or any of them; and may claim, in applications for said foreign Letters Patent or other rights, the priority of the aforesaid United States patent application under the provisions of the International Convention of 1883 and later modifications thereof, under the Patent Cooperation Treaty, under the European Patent Convention or under any other available international agreement; and that, when requested, without charge to, but at the expense of, said Assignees, their successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned or the undersigned's executors or administrators will, for the United States and all foreign countries, execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications or other documents on any and all said inventions; execute

GI 5291

USSN 08/808,720

Filing Date February 28, 1997

Art Unit \_\_\_\_\_

divisional, continuing, substitute, renewal, reissue, and all other patent applications or other documents on any and all said inventions; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignees, their successors, assigns and representatives, all facts known and documents available to the undersigned relating to said inventions and the history thereof; testify in all legal proceedings, and generally do everything possible which said Assignees, their successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said inventions and for vesting title to said inventions and all applications for patents or related foreign rights and all patents on said inventions, in said Assignees, their successors, assigns and legal representatives; and

COVENANT with said Assignees, their successors, assigns, and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

4-17-97

Date

Stephen H. Herrmann

Stephen H. Herrmann

Commonwealth of Massachusetts)  
County of Middlesex ) ss.

Subscribed and sworn to before me by the above-named Stephen H. Herrmann this 17<sup>th</sup> day of April, 1997.

Bernadine Blackhall  
Notary Public  
My Commission Expires: June 1, 2001  
My Commission Expires: \_\_\_\_\_

April 17, 1997

Date

Stephen L. Swanberg

Stephen L. Swanberg

Commonwealth of Massachusetts)  
County of Middlesex ) ss.

Subscribed and sworn to before me by the above-named Stephen L. Swanberg this 17<sup>th</sup> day of April, 1997.

Bernadine Blackhall  
Notary Public  
My Commission Expires: June 1, 2001  
My Commission Expires: \_\_\_\_\_

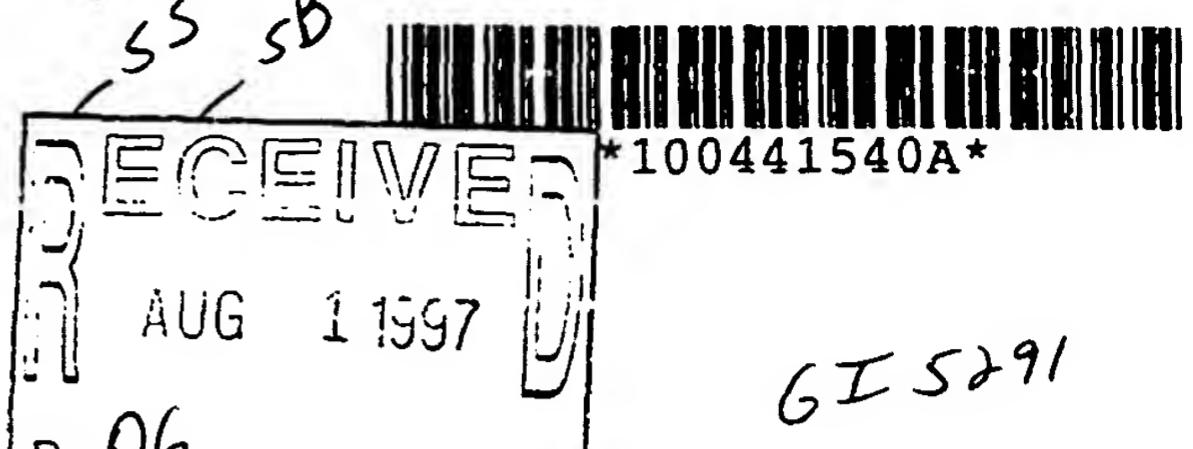


UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
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Washington, D.C. 20231

JULY 20, 1997

PTAS

GENETICS INSTITUTE, INC.  
SUZANNE A. SPRUNGER, PH.D.  
LEGAL AFFAIRS  
87 CAMBRIDGE PARK DRIVE  
CAMBRIDGE, MASSACHUSETTS 02140



UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 06/13/1997

REEL/FRAME: 8554/0387  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

HERRMANN, STEPHEN H.

DOC DATE: 04/17/1997

ASSIGNEE:

SWANBERG, STEPHEN L.

DOC DATE: 04/17/1997

ASSIGNEE:

GENETICS INSTITUTE, INC.  
87 CAMBRIDGE PARK DRIVE  
LEGAL AFFAIRS  
CAMBRIDGE, MASSACHUSETTS 02140

SERIAL NUMBER: 08808720

FILING DATE: 02/28/1997  
ISSUE DATE:

DIANE RUSSELE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS